

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHIGAN ELECTRICAL EMPLOYEES'
PENSION FUND, et al.,

Plaintiffs,

File No. 5:06-CV-152

v.

HON. ROBERT HOLMES BELL

JOHN KRAWCZAK and
JOHN'S ELECTRIC, INC.,

Defendants.

/

MEMORANDUM OPINION AND ORDER

This matter is before the Court on Plaintiffs' motion for entry of amended judgment. (Dkt. No. 12.) Plaintiffs filed this motion on June 16, 2008. Plaintiffs have filed a certificate of service indicating that Defendants, who are not represented by counsel, were served by first class mail. (Dkt. No. 15.) To date the Court has received no response to Plaintiffs' motion. However, the entry of an amended judgment incorporating the results of an audit to determine Defendants' indebtedness to the fringe benefits funds for the period commencing July 2006 was anticipated by and is consistent with the parties' stipulation to a consent order re-opening case and entry of consent judgment. (Dkt. No. 6.)

Plaintiffs' motion for entry of amended judgment is accompanied by the affidavit of Hope L. Calati, Plaintiffs' attorney. (Dkt. No. 14.) The affidavit sets forth the results of the audit performed for the period of July 2006 through January 2008, and the amount that

Defendants have paid on the original judgment. The affidavit also supports the amounts requested for audit assessments, pre-judgment interest, late payment assessments, attorney fees, and costs. Upon review the Court is satisfied that the evidence is sufficient to support Plaintiffs' request for an amended judgment in the amount of \$52,147.90. Accordingly,

IT IS HEREBY ORDERED that Plaintiffs' motion for entry of amended judgment (Dkt. No. 12) is **GRANTED**.

IT IS FURTHER ORDERED that an amended judgment consistent with this memorandum opinion and order will be entered.

Dated: August 22, 2008

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE